

Genaro Lara, Attorney at Law

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Attorneys for Plaintiff Araceli Gocobachi

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SAMANTHA LOPEZ, a Minor, by) Case No.: 07CV2028-JLS (WMC)
and through her Legal)
Custodian, LILIANA CORTEZ,) Motion to Intervene as a
FILADELFO LOPEZ, LAURA) Plaintiff
ALONZO LOPEZ, ANNA LOPEZ &)
JULIA LOPEZ, as surviving) Date: June 27, 2008
heirs of DAVID ARNULFO) Time: 10:30 a.m.
LOPEZ, deceased,) Courtroom: 6
Plaintiffs,) The Honorable Janis L.
vs.) Sammartino
COUNTY OF SAN DIEGO, a)
municipal corporation, CITY)
OF VISTA, a municipal)
corporation & DOES 1-50,
inclusive,
Defendants.

Notice of Motion for Leave to Intervene (Rule 24):

To: JOHN J. SANSONE, County Counsel, DAVID G. AXTMANN,
Senior Deputy, EZEKIEL E. CORTEZ and VICTOR MANUEL
TORRES.

1 Please take notice that the undersigned will bring
2 the above motion for leave to intervene for hearing
3 before this Court at 880 Front St., San Diego, CA
4 92101, on June 27, 2008, at 10:30 a.m., or as soon
5 thereafter as counsel can be heard.

6 Applicant Araceli Gocobachi moves pursuant Rule 24
7 of the Federal Rules of Civil Procedure for leave to
8 intervene as a plaintiff in this action in order to
9 assert the claim against defendants.

10 In support of this motion, Applicant states that:

- 11 1. Applicant has an interest in the transaction that
12 is the subject of this suit as specifically and
13 particularly set forth in the attached
14 declaration and counsel.
- 15 2. Applicant is so situated that disposition of this
16 action without this intervention will, or may as
17 a practical matter, impair or destroy its ability
18 to protect that interest.
- 19 3. Applicant's interest cannot be adequately
20 represented by existing parties.

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23 Dated: June 18, 2008

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25 Genaro Lara

26 Attorney for Araceil Gocobachi

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Declaration of counsel

The undersigned, Attorney Genaro Lara, declares:

1. I am licensed to practice law by the State of California and by the United States District Court of Southern California. I am in good standing with the State Bar of California.

2. I have been contacted by Araceli Gocobachi to represent her in the instant case.

3. At the time of the death of David Arnulfo Lopez, Araceli Gocobachi was the lawful spouse of the deceased. I have seen the marriage certificate number 4200537-007314, issued by the County of San Diego, which shows the names of the spouses, Araceli Gocobachi and David Arnulfo Lopez.

4. I and Attorney Emile Mullick have been retained by Araceli Gocobachi to represent her in the instant litigation arising out of the death of her deceased husband, David Arnulfo Lopez, who was shot to death by San Diego County Sheriffs on October 21, 2006.

1 5. By all rights under the laws of the State of
2 California, Araceli Gocobachi has the right to
3 intervene in this action as the surviving spouse and
4 entitled to litigate her interests as such.

5 6. As soon as the court allows Araceli to intervene
6 as party plaintiff, I and Attorney E. Mullick will file
7 an amended complaint.

8 I declare under penalty of perjury under the laws of
9 the State of California the above is true and correct.

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11 Genaro Lara, ----S-

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13 Dated: June 18, 2008
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAMANTHA LOPEZ, a Minor, by)	Case No.: 07CV2028-JLS (WMC)
and through her Legal)	Certificate of Service
Custodian, LILIANA CORTEZ,)	
FILADELFO LOPEZ, LAURA)	
ALONZO LOPEZ, ANNA LOPEZ &)	Date: June 27, 2008
JULIA LOPEZ, as surviving)	Time: 10:30 a.m.
heirs of DAVID ARNULFO)	Courtroom: 6
LOPEZ, deceased,)	The Honorable Janis L.
Plaintiffs,)	Sammartino
vs.)	
COUNTY OF SAN DIEGO, a)	
municipal corporation, CITY)	
OF VISTA, a municipal)	

1 corporation & DOES 1-50,
2 inclusive,

3 Defendants.

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5 I, Genaro Lara, am a citizen of the United States and
6 am least eighteen years of age. My business address is
7 121 Broadway, Suite 365, San Diego, California 92101.
8 I'm not a party to the above-entitled action. I have
9 caused service of **Motion to Intervene** on the following
10 parties by electronically filing the foregoing with the
11 Clerk of the District Court using its ECF System, which
12 electronically notifies them.

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14 I declare under penalty of perjury that the foregoing
15 is true and correct.

16 Executed on June 16, 2008

17 Genaro Lara, ---S---

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